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MOTOROLA, INC. LAW DEPARTMENT 1303 E. ALGONQUIN ROAD SCHAUMBURG, IL 60196			EXAMINER LAZARO, DAVID R	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation Sheet - Advisory

3. Continued: NOTE: The newly added claims would require further search and consideration.

11. Continued:

Applicant argues on page 16 of the remarks - *"Frazier unarguably fails to teach or suggest this limitation. Frazier at best appears to disclose determining which of a pair of subnet managers has a higher priority and making the subnet manager with a higher priority the active subnet manager. This differs substantially from forming a set of standby subnet managers based on the priority value and the globally unique identifier of each of the plurality of nodes. Applicant can find no mention of selecting a set of standby subnet managers from all the subnet managers based on the ranking of the nodes in Frazier."*

Examiner's response: In col. 11, lines 49-64, Frazier essentially describes that subnet managers with priorities less than the highest priority are set to a standby state. Thus, there is a set of managers in a standby state, the standby state having been determined based on priority level and a globally unique identifier (noting col. 10 lines 20-38). The examiner considers this to be within the scope of the claimed subject matter.

Additionally, in regards to the cited section, col. 8, line 38-44, the examiner notes the architecture described by Frazier requires a subnet manager agent that communicates with a subnet manager. Since each node has a subnet manager

agent and each subnet has a manager entity attached, each node is therefore provided with a subnet manager.

Applicant argues on page 18 of the remarks - *"Defining a set of standby subnet managers facilitates having including a subnet manger within each of the plurality of nodes, as it predefines the negotiation of which subnet manger takes precedence. Failing to have such a set could necessitate the repeated negotiations for which subnet manager takes precedence and would be activated as at best disclosed by Frazier."*

Examiner's response - The claimed subject matter in relation to claim 1, does not indicate that any specifics in forming the set of standby subnet managers. As such, it is not clear as to what bearings subsequent negotiations have on the scope of the claim. The claimed subject matter simply indicates the formation of a set of standby subnet managers which the examiner has explained in the previous response. Applicant's arguments are not persuasive.